

Office of Nuclear Regulatory Research, telephone (301) 415-2840, e-mail mxs3@nrc.gov.

SUPPLEMENTARY INFORMATION:

Draft NUREG/CR-6850, "EPRI/NRC-RES Fire PRA Methodology for Nuclear Power Facilities"

The purpose of EPRI/NRC-RES Fire PRA Methodology for Nuclear Power Facilities Draft Report for Comment (NUREG/CR-6850) is to provide state-of-the-art methods, tools, and data for the conduct of fire Probabilistic Risk Assessment (PRA). This methodology was developed under the program, the Fire Risk Requantification Study, which was conducted as a joint activity between EPRI and RES under the terms of an EPRI/RES Memorandum of Understanding on Cooperative Nuclear Safety Research and accompanying Fire Risk Addendum. Licensee applications and U.S. NRC review guidance with respect to many regulatory activities such as the risk-informed, performance-based fire protection rule (endorsing NFPA 805) will benefit for more robust methods. This research addresses the full breadth of FRA technical issues for power operations, and includes consideration of large early release frequency. The current scope excludes low power/shutdown operations, spent fuel pool accidents, sabotage, and PRA level 3 estimates of consequence. While the primary objective of the project was to consolidate existing research from EPRI and NRC in state-of-the-art methods, the newly documented methods represent a significant advancement in many areas over previously documented methods.

The NRC is seeking public comment in order to receive feedback from the widest range of interested parties and to ensure that all information relevant to developing this document is available to the NRC staff. This document is issued for comment only and is not intended for interim use. The NRC will review public comments received on the document, incorporate suggested changes as necessary, and issue the final NUREG/CR-6850 for use.

Dated at Rockville, MD, this 8th day of October 2004.

For the Nuclear Regulatory Commission.

Mark A. Cunningham,

Acting Deputy Director, Division of Risk Analysis and Applications, Office of Nuclear Regulatory Research.

[FR Doc. 04-23240 Filed 10-15-04; 8:45 am]

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POSTAL RATE COMMISSION

Facility Tours

AGENCY: Postal Rate Commission.

ACTION: Notice of Commission visit.

SUMMARY: Postal Rate Commissioners and staff members will tour mail preparation facilities located in the vicinity of East Hartford, Connecticut on November 4 and 5, 2004. The purpose is to familiarize attendees with various postal-related operations, including those related to barcoding and sorting First-Class Mail.

DATES: 1. November 4, 2004 (afternoon): PSI presentation/facility tour. 2. November 5, 2004 (morning): Pitney Bowes Tech Center tour; (afternoon): Pitney Bowes Management Services Mail Recovery Center tour.

FOR FURTHER INFORMATION CONTACT: Stephen L. Sharfman, General Counsel, 202-789-6818.

Steven W. Williams,
Secretary.

[FR Doc. 04-23241 Filed 10-15-04; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 53, SEC File No. 270-376, OMB Control No. 3235-0426; Rule 57 and Form U-33-S, SEC File No. 270-376, OMB Control No. 3235-0429.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the previously approved collections of information discussed below.

Sections 32 and 33 of the Public Utility Holding Company Act of 1935, as amended ("Act"), and rules 53, 54, and 57(b) under the Act, permit, among other things, utility holding companies registered under the Act to make direct or indirect investments in exempt wholesale generators ("EWGs") and foreign utility companies ("FUCOs"), as defined in sections 32 and 33 of the Act, respectively, without the prior approval of the Commission, if certain conditions

are met. Rules 53 and 54 do not create a reporting burden for respondents. These rules do, however, contain recordkeeping and retention requirements. As required by Congress, the Commission mandates the maintenance of certain books and records identifying investments in and earnings from all subsidiary EWGs or FUCOs in order to measure their financial effect on the registered systems.

The Commission estimates that the total annual recordkeeping and record retention burden under rules 53 will be a total of 290 hours (10 hours per respondent x 29 respondents = 290 burden hours). It is estimated that there will be no burden hours associated with rule 54.

Under rule 57(b) there is an annual requirement for any public utility company that owns one or more FUCOs to file Form U-33-S. The information contained in Form U-33-S allows the Commission to monitor overseas investments by public utility companies.

The Commission estimates that the total annual reporting burden under rule 57(b) will be 18 hours (3 hours per respondent x 6 filings = 18 hours).

These estimates of average burden hours are made solely for the purposes of the Paperwork Reduction Act and are not derived from a comprehensive or even a representative survey or study of the costs of SEC rules and forms.

Rules 53, 54, 57(b) each impose a mandatory recordkeeping requirement of this information collection. It is mandatory that qualifying companies provide the information required by rules 53, 54 and 57(b). There is no requirement to keep the information confidential because it is public information.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

General comments regarding the above information should be directed to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or e-mail to: David_Rostker@omb.eop.gov; and (ii) R. Corey Booth, Director/Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: October 8, 2004.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E4-2662 Filed 10-15-04; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-50511; File No. SR-Amex-2004-83]

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change Relating to Revisions to Amex Rules 1000 and 1000A

October 8, 2004.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² notice is hereby given that on October 7, 2004, the American Stock Exchange LLC (“Amex” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons and to approve the proposal, on an accelerated basis.

I. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

The Amex proposes to amend Amex Rule 1000, Commentary .03 and Amex Rule 1000A, Commentary .02.

Proposed new language is *italicized*; proposed deletions are in [brackets].

Rule 1000

Portfolio Depositary Receipts

(a)–(b) No change

* * * Commentary

.01—.02 No change

.03 The Exchange may approve a series of Portfolio Depositary Receipts for listing and trading pursuant to Rule 19b-4(e) under the Securities Exchange Act of 1934 provided each of the following criteria is satisfied:

(a) No change

(b) Index Methodology and Calculation. (i) The index underlying a series of Portfolio Depositary Receipts will be calculated based on either the market capitalization, modified market capitalization, price, equal-dollar or modified equal-dollar weighting methodology; (ii) If the index is

maintained by a broker-dealer, the broker-dealer shall erect a “fire wall” around the personnel who have access to information concerning changes and adjustments to the index and the index shall be calculated by a third party who is not a broker-dealer, and (iii) The current index value will be disseminated every 15 seconds over the *consolidated tape* [Consolidated Tape Association’s Network B].

(c)–(h) No change

.04—.08 No change

Rule 1000A

Index Fund Shares

(a)–(b) No change

* * * Commentary

.01 No change

.02 The Exchange may approve a series of Index Fund Shares for listing pursuant to Rule 19b-4(e) under the Securities Exchange Act of 1934 provided each of the following criteria is satisfied:

(a) No change

(b) Index Methodology and Calculation. (i) The index underlying a series of Index Fund Shares will be calculated based on either the market capitalization, modified market capitalization, price, equal-dollar or modified equal-dollar weighting methodology; (ii) If the index is maintained by a broker-dealer, the broker-dealer shall erect a “fire wall” around the personnel who have access to information concerning changes and adjustments to the index and the index shall be calculated by a third party who is not a broker-dealer, and (iii) The current index value will be disseminated every 15 seconds over the *consolidated tape* [Consolidated Tape Association’s Network B].

(c)–(i) No change

.03—.09 No change

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item III below. The Amex has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization’s Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

1. Purpose

Amex Rule 1000, Commentary .02 and Amex Rule 1000A, Commentary .03 provide generic listing standards for Portfolio Depositary Receipts (“PDRs”) and Index Fund Shares (“IFSs”), respectively, to permit listing and trading of these securities pursuant to Rule 19b-4(e) under the Act.³ Specifically, Amex Rule 1000, Commentary .03(b), and Amex Rule 1000A, Commentary .02(b) provide that the current index value for the index underlying a series of PDRs (in the case of Amex Rule 1000) and IFSs (in the case of Amex Rule 1000A) will be disseminated every 15 seconds over the Consolidated Tape Association’s Network B. The Exchange proposes to change this requirement to provide that the underlying index values will be disseminated every 15 seconds over the consolidated tape. This proposed rule change is substantially similar to the generic listing standard relating to index value dissemination that is in place at the New York Stock Exchange (“NYSE”), which requires that underlying index values for Investment Company Units be disseminated over the “consolidated tape.”⁴ The Amex

³ 17 CFR 240.19b-4(e). Rule 19b-4(e) provides that the listing and trading of a new derivative securities product by a self-regulatory organization shall not be deemed a proposed rule change, pursuant to paragraph (c)(1) of Rule 19b-4, if the Commission has approved, pursuant to Section 19(b) of the Act, the self-regulatory organization’s trading rules, procedures and listing standards for the product class that would include the new derivative securities product and the self-regulatory organization has a surveillance program for the product class. See Securities Exchange Act Release No. 40761 (December 8, 1998), 63 FR 70952 (December 22, 1998).

⁴ The NYSE’s Rule 703.16 (B)(3) states in part: “If a series of Investment Company Units is listed for trading on the Exchange in reliance upon Rule 19b-4(e) under the Exchange Act, the current value of the underlying index must be disseminated every 15 seconds during trading hours over the consolidated tape.” See Securities Exchange Act Release No. 43679 (December 5, 2000), 65 FR 77949 (December 13, 2000) (SR-NYSE-00-46). “Investment Company Units” is defined in NYSE Rule 703.16 to comprise the same securities that are covered by Amex Rule 1000 (PDRs) and Amex Rule 1000A (IFSs). Specifically, NYSE Rule 703.16 defines an “Investment Company Unit” as “a security that represents an interest in a registered investment company (“Investment Company”) that could be organized as a unit investment trust, an open-end management investment company, or a similar entity.” Amex Rule 1000 defines a PDR as (among other things) a security “that is based on a unit investment trust” and Amex Rule 1000A defines an IFS as a security “that is issued by an open-end management investment company.” Telephone discussion between Marija Willen,

Continued

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.